(2) that, if Government proposed to give only one officer, that officer might be a Munsiff-Magistrate as in Kanjirapalli and Devicolam and not a Magistrate-Munsiff ;

(3) that the pay of the officer should be raised a little so as to keep him above temptation; and

(4) that Tamil be declared the language of the court and that an officer knowing Tamil be appointed as Munsiff-Magistrate.

The Member also requested that sub-jails might be established throughout the State as in British India and that the trying Magistrate be entrusted with the care of under-trial prisoners, the peons of the court doing the work of sentinels without any special remuneration.

Dewan's reply.—There is not much difference between the Government and the Member in regard to this matter. I quite realise the undesirability of the local Tahsildar being a Munsiff, and it is with a view to remove this defect that the creation of a combined Magistrate-Munsiff's Court is being considered by the Government.

Member.—A Magistrate-Munsiff is different from a Munsiff-Magistrate.

Dewan.—You take objection to the officer being called a Magistrate-Munsiff. The idea is that there should be a stationary officer who should try civil suits as well as criminal cases. Do you want to call him a Munsiff-Magistrate?

Member.—Yes, because he will then be under the High Court.

Dewan.—Even now the Magistrates are under the High Court. They are under the Government only in respect of promotions. Your suggestion that the officer should be called a Munsiff-Magistrate will be borne in mind.

Your suggestion in regard to the enchancement of jurisdiction will be referred to the High Court and their remarks invited.

We are posting a Magistrate who knows Tamil to the Shencottah Taluk. Your grievance in this respect has thus been removed.

Member.—We want a general order. Then also with regard to making Tamil the court language, we want an order.

Dewan.—To make Tamil your court language is not a simple matter. Government will try to carry out the wishes of the people as far as possible, but there are difficulties in the way.

In regard to under-trial prisoners, I agree with you in the view that the treatment of the under-trial prisoners, their care, the arrangement for their detention, etc., are defective. I shall take up the matter soon. I am awaiting the decisions of the British Government on the recommendations of the Jail Committee which toured all over India. Further, there is another difficulty, viz., the difficulty of erecting buildings suitable for the detention of these under-trial prisoners. We want special types of buildings for this purpose. The construction of such buildings means money.

41. Necessity for establishing a Munsiff's Court in the Pattanapuram taluk.

Mr. Padmanabha Pillai Kochukunju Pillai (Member, Pattanapuram Taluk) prefaced his representation with a request that one of the High Court Judges might be asked to be present when judicial matters were discussed in the Assembly. He then represented that, though they had submitted a memorial in 1095 for the establishment of a Munsiff's Court at Pattanapuram and received a reply that the matter would be considered after consulting the High Court, they had not been told what the final result of such consideration was. The Member observed that the distance from the easternmost extremity of the taluk to Kottarakara was more than 24 miles, that the people suffered great hardship in the matter of the institution and conduct

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of civil suits, and that the service of processes at such distance was attended with special difficulties. He also pointed out that, of the suits filed in the Kottarakara Munsiff's Court, more than one thousand belonged to Pattanapuram and prayed that, if it was not found possible to provide them with a separate Munsiff's Court, at least a Magistrate-Munsiff's Court might be established in the taluk.

Dewan's reply.—Your suggestion that one of the Judges of the High Court should be present here seems a good one. I shall consult the High Court and see whether this cannot be arranged during the future sessions of the Assembly.

In regard to your suggestion to establish a Munsiff's Court at Pattanapuram, the High Court are still of opinion that there is no necessity for a Munsiff's Court there. Pattanapuram is a taluk which is traversed by the railway and locomotion there should not be very difficult. The irregular service of processes does not by itself mean that the distances are very great. It may as well be due to the fact that process-servers are not doing their work properly.

42. Undesirability of shifting the Munsiff-Magistrate's Court at Kanjirapalli to Mundakayam.

Mr. Thomman Chakko (Member, Peermade Taluk) stated that the proposed location of the Kanjirapalli Magistrate-Munsiff's Court at Mundakayam would be inconvenient and that it might therefore be shifted to the police station compound at Kanjirapalli for the following reasons:—

(1) The *pakuthies* of Manimala, Cheruvalli, Chirakadavu, Kanjirapalli North and Kanjirapalli South would then come under the criminal jurisdiction of the new court at Mundakayam, covering an area of 13 miles east to west between the 20th and the 33rd mile stones, K. K. road, and 18 miles north to south;

(2) The situation of the police station at Kanjirapalli on the 25th mile, K. K. road, was almost central, the present Munsiff-Magistrate's Court at Ponkunnam being at the western extremity, and the proposed location of the court at Mundakayam would be at the 33rd mile, K. K. road, far away from the centre;

(3) Of the *pakuthies* bordering on Mundakayam, Peruvantanam on the east, Punjar on the north and Ranni reserve on the south, Peruvantanam came under the jurisdiction of the Peermade First Class Magistrate and Punjar under that of the Minachil Magistrate; and

(4) The Mundakayam Magistrate would have jurisdiction only over the area covered by the European Plantations, of which Cheruvalli, the biggest, was nearer to Kanjirapalli than Mundakayam.

The Member also stated that for criminal cases most people would have to travel great distances to go to Mundakayam situated at the easternmost limit, that more than 80 per cent of the cases filed at Kanjirapalli were from the localities west of Mundakayam and that the people would not welcome such a change of jurisdiction attended with great difficulties and loss.

The Member submitted that Dewan Mr. Rajagopalachari decided, after mature consideration and consultation with local officers, that the public offices should be at Kanjirapalli, it being the centre of the jurisdiction area (*vide* G. O. No. 3149 dated 18th May 1910). The Mundakayam Rubber Planters' Association, the Punjar Chief and the people represented to the Dewan when he went there on circuit in April last that the public offices should be at the Kanjirapalli Police Station compound.

The police station compound was situated at the bank of the Chittar river with abundant supply of good water, while Ponkunnam suffered from the disadvantage of having only wells which went dry during the hot season. The Member then characterised the decision arrived at in the matter by the Munsiff-Magistrate, Kanjirapalli, as unsound, as that decision was based mainly on the consideration of a building to be given free for the court-house, and said that the

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